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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Polakiewicz *et al.*
ASSIGNEE: CELL SIGNALING TECHNOLOGY, INC.
SERIAL NUMBER: 10/694,874 EXAMINER: Ewoldt, Gerald R
FILING DATE: October 28, 2003 ART UNIT: 1644
FOR: ANTIBODIES SPECIFIC FOR PHOSPHORYLATED INSULIN RECEPTOR SUBSTRATE-1/2
(SER1101/SER1149) AND USES THEREOF

Certificate Facsimile Transmission under 37 C.F.R. § 1.8

I hereby certify that this correspondence, and any documents referred to as attached hereto, is/are being transmitted to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, Central facsimile number: (571) 273-8300 on this 16th day of September, 2009.


Nancy Chiu Wilker

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AMENDMENT AND RESPONSE
(37 C.F.R. §§1.116)

This paper is filed in response to the final office action dated June 18, 2009 (hereinafter "Office Action") that has issued in the above-identified patent application (hereinafter "Application").

This paper includes the following sections presented on the subsequent pages:

Amendments to the Specification: page 2 of this paper

Listing of Claims: pages 3-5 of this paper.

Remarks: pages 6-8 of this paper.

Conclusion: page 9 of this paper.

Serial No. 10/694,874
Response filed Sept. 16, 2009

Please replace the paragraph that appears from page 30, line 18 through page 31, line 3 with the following replacement paragraph:

Diagnostic kits for carrying out the methods disclosed above are also provided by the invention. Such kits comprise at least one detectable reagent that binds to IRS-1 and/or IRS-2 when phosphorylated at Ser1101 and/or Ser1149, respectively. In a preferred embodiment, the reagent is an IRS-1/2 antibody of the invention. In one embodiment, the invention provides a kit for the detection of phosphorylated IRS-1 (Ser1101) and/or IRS-2 (Ser1149) in a biological sample comprising (a) at least one IRS-1/2 antibody of the invention (*[[e.g.]] i.e.*, a phospho-specific antibody that binds phospho-IRS-1/2 (Ser1101/Ser1149)) and (b) at least one secondary antibody conjugated to a detectable group. The reagents may also include ancillary agents such as buffering agents and protein stabilizing agents, *e.g.*, polysaccharides and the like. The diagnostic kit may further include, where necessary, other members of the signal-producing system of which system the detectable group is a member (*e.g.*, enzyme substrates), agents for reducing background interference in a test, control reagents, apparatus for conducting a test, and the like.

Please replace the paragraph that appears from page 31, lines 4-12 with the following replacement paragraph:

In another embodiment, the invention provides a kit for the detection of PKC theta activity in a biological sample comprising (a) at least one IRS-1/2 antibody of the invention (*[[e.g.]] i.e.*, a phospho-specific antibody that binds phospho-IRS-1 (Ser1101) and/or phospho-IRS-2 (Ser1149) and (b) at least one secondary antibody conjugated to a detectable group. Ancillary agents as described above may likewise be included. The test kit may be packaged in any suitable manner, typically with all elements in a single container along with a sheet of printed instructions for carrying out the test.